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SUBJECT: HIRC DELEGATION DISCUSSES HUMAN RIGHTS COUNCIL, UN

REFORM, DARFUR WITH G77 AMBASSADORS AND GA PRESIDENT'S CHEF
DE CABINET

¶1. (SBU) SUMMARY: A House International Relations Committee (HIRC) delegation led by Chairman Henry Hyde met the GA President's Chef de Cabinet and subsequently with six key G77 ambassadors March 27 to discuss a range of issues. Key topics of discussion centered on the recently created UN Human Rights Council (HRC), UN management reform, UN mandate review, Darfur and sexual exploitation by UN Peacekeepers. End Summary.

¶2. (U) On Monday March 27, Chairman Henry Hyde led a HIRC delegation to New York to meet with key UN interlocutors. The delegation consisted of Chairman Hyde (R-IL), Congressman Tom Lantos (D-CA), Congressman Chris Smith (R-NJ), Congressman Gary Ackerman (D-NY), Congressman Dan Burton (R-IN), Congressman Eni F.H. Faleomavaega (D-AS), Congressman Donald Payne (D-NJ) and Congressman William Delahunt (D-MA). The delegation met first with Ambassador Lars-Hjalmar Wide of Sweden, Chef de Cabinet to UNGA President Jan Eliasson (who was out of the country), followed by a larger meeting that also included Ambassador Dumisani Kumalo of South Africa (Chair of the Group of 77), Ambassador Nirupam Sen of India, Ambassador Abdullah M. Alsaïdi of Yemen, Ambassador Hamidon Ali of Malaysia, Ambassador Aminu Bashir Wali of Nigeria and Ambassador Heraldo Munoz of Chile. Also attending the meetings were USUN Ambassador Wolff, H Deputy Assistant Secretary Callahan and HIRC staffers.

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HUMAN RIGHTS COUNCIL

¶3. (SBU) In the delegation's separate meeting with Chef de Cabinet Ambassador Wide, Congressman Smith said there was "a great deal of concern" in Congress regarding the final HRC resolution that was approved by the GA over U.S. objections. He characterized the effort to reform the UN's human rights machinery as having been "a golden opportunity, a lost opportunity" and asked what could be done now to overcome the new HRC's flaws.

¶4. (SBU) Wide responded by arguing that while not perfect and "not all we wanted," the new HRC is "a huge step beyond the past." Although in the end consensus wasn't possible, the vast majority of member states supported it. Putting forth familiar justifications, Wide asserted that countries will need an absolute majority to get elected to the HRC (compared with the simple majority needed in the past) and that offenders can be suspended from the HRC by a 2/3 vote if they

are found to be abusing human rights. He said that while the U.S. and others wanted "some extra things," in the end the text that emerged reflected a delicate balance.

15. (SBU) In response, Congressman Smith took issue with Wide's use of the phrase "extra things" to describe U.S. priorities, and said elements such as prohibiting egregious human rights abusers from membership on the HRC went to the heart of the body's credibility. Wide countered that it is still too early to render a judgment on this, but early signs are that member states are taking seriously the provision that a country's human rights record should be "taken under consideration." He noted that all countries that have thus far put forward their candidatures for the HRC are highlighting their own commitment to HR principles and practices. Congressman Lantos commented that "the bottom line is we live in a very ugly world and the UN represents this very ugly world -- it is a derivative reality of that ugly world." Chairman Hyde agreed with Ambassador Wide's comment that "we shouldn't let the perfect be the enemy of the good," but questioned whether the HRC resolution that ultimately emerged was, in fact, "the best we could do," adding "it is distressing because this could have been so much better."

MANAGEMENT REFORM AND PROCUREMENT

16. (SBU) Looking beyond the HRC, Ambassador Wide told the delegation that the GA is now turning its attention to management reform. Virtually all member states agree on the need to get more out of the UN and see its structures improved. However, there are many different views on how best to do this. The SYG's new report "Investing in the UN" contains numerous specific proposals on how to streamline and restructure the Secretariat. The Secretariat's role has evolved over the years from organizing and servicing international conferences to implementing operational work in

the field. Wide said that Sweden will "put every effort of our Presidency into making a difference before June."

17. (SBU) In the delegation's follow-on discussion with G-77 Ambassadors, Ambassador Kumalo of South Africa said that there have been erroneous reports that the G-77 does not support management reform. The G-77 "is very supportive of reform; the question now is how to go about it." He asserted that the G-77 had supported the creation of an ethics body before the Volcker Commission issued its report, and similarly had called for a review of the UN's procurement practices before this was raised in the Security Council. Ambassador Munoz of Chile stated that "we all want our taxpayers' money to be well spent. We share the same concerns -- we want more control and more accountability." Chairman Hyde asked why the G-77 had issued a February 21 letter in which the group said procurement issues were the purview of the GA not the Security Council. Wouldn't this approach only slow down the process? In response, Ambassador Kumalo said it would not cause delays and reiterated that questions concerning the UN's overall procurement practices were the purview of the GA. When the SYG uncovers corruption, the G-77 is in agreement that he should immediately take action but also inform member states, as required by the UN Charter. By contrast, procurement issues related specifically to the Oil for Food (OFF) program should be handled by the Security Council since OFF had been a creation of the SC and had been monitored by its sanctions committee.

MANDATE REVIEW

18. (SBU) Ambassador Wide told the delegation that the SYG's report on Mandate Review will be out in the next few days, after which member states will begin discussions on which mandates are obsolete, redundant, duplicative, etc. Congressman Ackerman asked Ambassador Wide to comment on the "tremendous waste generated by a number of almost permanent

institutions in the UN devoted to Israel-bashing." Wide responded that many of these institutions are not relevant to what is taking place on the ground. That said, their mandates "are regularly renewed by overwhelming margins. This is a sensitive issue." While acknowledging that there is a need to "clean up all these Palestinian resolutions," Wide also cautioned that taking them on immediately would grind the mandate review process to a stop. Instead, Wide counseled, "We should look at the easier mandates first and get something going" before dealing with the Palestinian mandates.

¶9. (SBU) In the broader meeting, Ambassador Munoz of Chile argued that mandate review should not be seen as a cost-cutting exercise, but one focused on relevance. If mandates are terminated for being obsolete or redundant, those resources should be redirected to relevant mandates in similar areas. He stressed that "development issues are fundamental to us since they go to the core issues of poverty and democracy." In response to the challenge posed by mandate review, Chairman Hyde commented that "even the most obscure mandate has interested parties -- we face the same thing in Congress." Pointing to the example of base closings, he continued that "our solution has been to appoint commissions to take the heat and we carry out their recommendations." Perhaps, he offered, such an approach could be useful here. Ambassador Alsaïdi of Yemen said one way of tackling the problem of excessive mandates is to set up a "monitoring mechanism" to ensure that mandates are implemented and when completed are ended.

DARFUR

¶10. (SBU) In the meeting with G-77 Ambassadors, Congressman Smith said "many of us are extremely concerned about Darfur -- while African Union troops are doing an heroic job under difficult circumstances, we think more troops with a more robust mandate are needed." In response, Ambassador Wali of Nigeria underlined that Darfur is "very much a front burner issue" but added that what the AU forces could do was limited since the three parties to the conflict have not yet come to an agreement. Until they do, AU forces will not have a mandate for peacekeeping and will only be able to monitor human rights abuses and deliver humanitarian assistance. He asserted that "the U.S. and others have a duty to nudge along

the contending parties to get to a peace agreement," and said that without the consent of the Sudanese government any solution would be very difficult. He went on to say that the whole international community should be concerned given the volatility of the situation, but not enough resources have been provided for the AU forces to carry out their mandate.

¶11. (SBU) In response to Ambassador Kumalo's comments, Congressman Payne stated that while "we recognize resource issues, to be truthful the AU has been weak and not assertive." He pointed to counter examples, such as when Nigeria intervened in Liberia or Tanzania went into Burundi, and said these were instances when African countries took the lead and were assertive. Sudan is a pariah state and should be called that. A more serious approach by the AU is needed.

SEXUAL EXPLOITATION BY UN PEACEKEEPERS

¶12. (SBU) Congressman Smith stated that "Prince Zeid has done a terrific job" and asked for thoughts on where we are in putting reforms in place. Ambassador Sen of India called Prince Zeid's efforts "one of the real success stories" and that the Prince's recommendations are being implemented, for example through courts-martial, dismissals and use of forensic methods. Additional steps needed will also require improved and very strict training on gender issues, ensuring that peacekeepers are "busy with useful things" such as community projects, and making sure that more women are included as part of PKOs.

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